

## APPENDIX V

**EXECUTIVE MESSAGES  
TO THE  
SENATE  
OF THE  
TENTH LEGISLATURE  
REGULAR SESSION**

## Editor's Note

The following are additional messages sent by the Governor to the Senate but are not mentioned in the Senate Journal. They are taken from the Executive Record Book, No. 280, 1863-1865, pp. 8-46 (Archives Division, Texas State Library).

Executive Department  
Austin Texas Nov 5, 1863

Gentlemen of the Senate

I have this day appointed the Hon. R. J. Townes Secretary of State, and to which appointment I respectfully ask your advice and consent.

Very Respectfully  
P. Murrah

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Senate Chamber  
Austin 12th Nov 1863

Governor

I have the honor to inform your Excellency, that the Senate in session this morning confirmed the appointment of the Hon. R. J. Townes as Secretary of State.

Very Respectfully  
Your Obt Servt

His Excellency  
P. Murrah

P. De Cordova  
Secry of the Senate

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I, Robert J. Townes, do solemnly swear that I will faithfully and impartially discharge and perform all the

duties incumbent on me as Secretary of State of the State of Texas, according to the best of my skill and ability, agreeable to the Constitution and Laws of the State of Texas, and also to the Constitution and Laws of the Confederate States of America, so long as the State of Texas, shall remain a member of that Confederacy. And I do further solemnly swear, that since the second day of March A. D. 1861, I being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it; nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge: or aided, advised, or assisted anyone thus offending So Help Me God

Sworn to and subscribed before me this the 12th day of Nov. 1863.

Fred J. Robards

R. J. Townes

J.P. P No 2 Travis County

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Department of State

Austin November 12th 1863

Mr. James B Morris

Sir

You are hereby appointed Chief Clerk of this Department. You will take the requisite Oath of office, and enter upon the discharge of your duties as such forthwith

Respectfully

R. J. Townes

Secr'y of State

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I James B Morris, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as Chief Clerk of the Department of State of the State of Texas, according to the best of my skill and ability, agreeable to the Constitution and Laws of the Confederate States of America, so long as the State of Texas shall remain a member of that Confederacy. And I do further solemnly swear, that since the second day of March A. D. 1861, I being a citizen of this State, have not fought a duel with deadly weapons, within this State nor out of it, nor have I sent, or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in

carrying a challenge, or aided, advised, or assisted any person thus offending — *So Help Me God*

James B. Morris.

Sworn to and subscribed  
before me this November 12th

A.D. 1863

(signed) Geo. F Moore  
Associate Justice  
of the Supreme Court

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Executive Department

Austin, Texas, 1863 Nov 12th

Gentlemen of the Senate

I have the honor to submit to you the following appointment of Notaries Public, to which I most respectfully ask your advice and consent.

Austin County

W. W. Cook, vice J. W. Collins

Bell County

W. W. Bishop, vice E. Mills

Bosque County

L. H. Scrutchfield, vice William Stedham

Brazos County

Arthur Edwards, re-appointment

Burleson County

Louis L. Childs, vice William J. Hill

James Shaw, vice J. W. Thomas

Colorado County

Charles Elhinger, vice H. E. Jordt, deceased

Comal County

Robert Becham, re-appointment

Cooke County

Squire Hellems, vice A. B. Manion

DeWitt County

Oliver H. Stapp, vice Joseph G. Clonsey

William J. Glass, vice John A. King

Ellis County

A. J. Farrer, vice C. T. F. Lee

Furquer Campbell, vice J. P. T. Self

Grimes County

Thomas Pinckney, vice W. C. Shepherd, deceased

Harris County

William P. Hamblin, vice George Goldthwaite

Hays County

L. H. Armstrong, vice William C. Hutchison

Henderson County

John Moore, vice Thomas F. Murchison

William Richardson, vice Madison Richardson

Hill County

D. S. Fields, vice William Blackbourne

F. Weatherhead, vice John B. Wright

Hopkins County

Laneras Bowman, vice Oliver B. McCoy

Jefferson County

H. S. Janes, vice Thomas Fletcher

A. J. Ward, vice A. J. Tevis

Lamar County

H. H. Henderson, vice Robert Price

William Bonner, vice Ulysses Matthison

Leon County

James O. Andrews, vice William A. Reavis

Hugh A. McWhorton, vice David Mc D Barclay

Benjamin Burroughs, vice John Thomas

Orange County

Reading, vice Hugh Ochiltree (Laid on the table)

Panola County

Thomas Ellison, vice Libon House

Parker County

John Maclock, vice J. P. Cole

A. L. Pinckard, vice John Deavonis

Robertson County

William P. Townsend, vice Reuben Herndon

Titus County

C. Huff, vice J. G. Chambers

Travis County

Charles L. Robards, vice William Carleton

Trinity County

James Marsh, vice A. Blacksheare

William Cox, vice Calor D. Brent

Tyler County

Dr. W. S. Caldwell, vice George W. Van Vleck

Victoria County

John L. Nicholson, vice James A. Moody

Washington County

A. C. Baker, vice Thomas B. Haynes

Hunt County

M. B. Drake, vice W. R. Lane  
Shelby County  
William Lanier, vice E. B. Desark  
Refugio County  
William Doughty, vice F. Crawford [Carpenter?]  
John Low, vice J. M. Rodgers  
San Patricio County  
Pat O'Docherty, vice R. Carroll

Very Respectfully,  
P. Murrah

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Executive Department  
Austin, Texas, 1863 Nov 16th

Gentlemen of the Senate  
and of the House of Representatives

I herewith lay before you a supplemental Report of the Quarter Master of the Frontier Regiment to the office of the Adj. and Inspector Genl. Why this was not made a part of the principal Report, I do not know, and it is now placed before you for such action as you may deem advisable—I call your attention to a Joint Resolution of the Extra Session of the last Legislature, making it the duty of the Military Board to prosecute inquiry into the expedience of working certain Salines near Double-Mountains, on the North-western frontier of the State—and making it still further their duty, should they find the enterprize expedient, to take immediate measures for working the same under the supervision of State authority. For the purpose of carrying out the provisions of the Act, the sum of five thousand dollars was appropriated. The Military Board report to me that they deem it expedient to commence work without more money, and have requested me to bring the subject to your attention. While the subject is before you, it is respectfully suggested that the propriety of working Salines at the expense and under the direction of the State, should be fully considered, and, if deemed proper, to what extent the State shall engage in such works.

I herewith transmit the communication of the Military Board on the subject to me.

The nature of the communications accompanying this

paper will explain its appearance in advance of a regular Message.

P. Murrah

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Executive Department

Austin, Texas, 1863, Nov 17th

Gentlemen of the Senate

I have this day appointed Col. D. B. Culbertson, of Marion County, State of Texas Adjutant and Inspector General, to which appointment I most respectfully ask your advice and consent.

P. Murrah

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Executive Department

Austin, Texas, 1863. Nov 18th

Hon R J Townes

Secy of State

Austin, Texas

Sir

I have this day appointed the following named gentlemen Trustees of the Blind Asylum:

Abraham Hendricks, vice James H. Raymond

W. S. Hotchkiss, vice William Von Rosenberg

Please issue to them letters of appointment.

Very Respectfully

P. Murrah

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In the Name and by the Authority  
of the State of Texas

To All to Whom These Presents Shall Come, Greeting

Know Ye that I Governor of the State of Texas placing special trust and confidence in the Integrity Diligence and Discretion of Abraham Hendricks do hereby appoint him a Trustee of the State Blind Asylum, and I do hereby authorize and empower him to execute and fullfill the duties of this appointment according to law for and during the term of four years, from the date hereof: unless sooner removed by the Governor of this State for the time being.

In Testimony Whereof, I have hereunto signed my name and caused the Great Seal of the State to be

The State  
of Texas

affixed, At Austin This the 18th  
day of November A. D. 1863  
And in the year of the independence  
of Texas the twenty eighth  
P. Murrah

By the Governor

R J Townes  
Secy of State

Note

A commission similar to the above was also issued to W. S.  
Hotchkiss.

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Executive Department

Austin, Texas 1863, Nov 27th

Senators

I have the honor to submit to you the following appointments of Notaries Public, to which I most respectfully ask your advice and consent:

Austin County

John P. Osterhout, re-appointment  
W. B. Witty, vice Zimri Hunt

Bastrop County

Elias S. Jones, re-appointment  
Adam Thomas, re-appointment  
Daniel Johnson, original

Bowie County

Julias Battle, vice John Loope  
John A. Talbot, vice B. T. Estis  
W. K. Dalley, original appointment  
W. J. Wise, original appointment  
James Holloway, original appointment

Bell County

John M. Pope, vice J. H. Ledbetter  
W. B. Armstrong, vice D. T. Chamberlain

Brazoria County

Thomas C. Nelson, re-appointment  
J. T. Shannon, re-appointment  
Charles Bennet, re-appointment

Cherokee County

James D. Long, vice J. H. Baty  
Hiram B. Stephens, vice D. A. Gates  
Jefferson Shook, vice J. T. Gamage

## Cooke County

Benjamin Hubert, vice James M. Perry  
John Welbourne, vice R. W. B. Oliver  
James Ritchie, vice D. C. McCall  
Samuel Green, vice George T. Bird

## Fannin County

Thomas Givim [Givins?], vice Sylvanus Howitt  
Richard Ryle, vice Samuel Day  
Johnothan Ruth, vice Jefferson Parish  
John R. Garnett, vice Gidion Smith

## Gonzales County

Isaac Miller, re-appointment.  
John A. King, vice Everett H. Lewis

## Grimes County

Joseph B. Edmonson, re-appointment

## Harrison County

Judge J. T. Williams, vice George L. Hill

## Hays County

Albert Heaton, re-appointment  
Thomas Johnson, original appointment

## Henderson County

James Colthrope, vice H. J. Bridges, deceased  
James Dean, vice L. W. Moore

## Jack County

Berry Merchant, vice William J. Hays

## Jasper County

H. Good, vice William Allen

## Karnes County

S. G. Daily, vice C. A. Russell  
C. H. Skiles, vice James L. Calvert

## Kaufman County

William Gibbard, vice R. H. English  
D. W. Boughton, vice Jasper W. Johnson

## Lamar County

John R. Chenault, vice Thomas Skidmore  
Thomas L. Lane, vice John Maxwell

## Lampasas County

T. C. Jackson, vice Albert G. Lane

## Leon County

Henry M. Cook, re-appointment

## Liberty County

Benjamin Robb, vice John E. DeBlanc  
T. B. Smith, vice P. L. Palmer



**Llano County**

Samuel Tate, original appointment

A. Erlenmeyer, vice William Bradford, deceased

**Live Oak County**

George Parr, vice George L. Givens

**McLennan County**

John H. Long, vice W. D. Chambers

John A. M. Murray, vice S. S. Sears

Charles S. Robinson, original appointment

John R. Harris, original appointment

**McCulloch County**

R. D. Bedwell, original appointment

**Marion County**

E. G. Bermers, vice W. P. Sanfley

John M. Hobday, vice John Winsley

B. F. Williams, original appointment

**Montgomery County**

J. C. Davis, vice Charles L. S. Jones

Vincent Vicks, vice Charles B. Stewart

**Matagorda County**

Henry Thrope, re-appointment

D. E. E. Braman, original appointment

J. B. Hawkins, original appointment

George Williams, vice James H. Cutler

John B. Rudgley, vice Albert Wadsworth

**Newton County**

Dr. David McMahon, re-appointment

Col. John Moore, re-appointment

**Rusk County**

Slade Barwell, re-appointment

Thomas M. Likins, vice Frank H. Nelson

Frank Elkins, vice Isaac Wherry

**Sabine County**

John Polly, vice John A. Whittlesen

**San Saba County**

B. Trowbridge, re-appointment

R. W. Gray, original appointment

H. H. Harrell, original appointment

**Tarrant County**

A. J. See, re-appointment

James Joice, vice Jonas Harrison

John S. Courterey, vice James Watson (Laid on  
the table)

## Van Zandt County

John Settles, vice William Settles

## Walker County

Henry Beaham, vice Gus A. Wiser, deceased

## Wise County

S. M. Gose, vice Absalom Bishop

William H. Hunt, vice William S. Oatis

## Wharton County

W. J. Ward, vice Jackson Rust

Ezekial George, vice W. J. Phillips

## Wood County

James M. Hay, vice A. Baird

E. R. Shuford, vice R. S. Marvill

Nathan Warren, vice A. L. Adams

J. W. Northout, vice Joel Mabry

W. S. Stahler, vice Henry Grogan

## Williamson County

W. C. Dallard, vice Thomas P. Hughes

## Denton County

George Harper, vice O. G. Welsh

## Red River County

John P. Dale, vice N. C. Gould

George F. Lawton, vice John A. Corley

## Grayson County

George A. Dickman, vice Thomas H. Browne

Colman Watson, re-appointment

## Upshur County

Thomas Crawford, vice L. D. Berry

J. W. Wright, vice J. W. Ayres

C. C. Galloway, vice W. Dickson

P. Murrah

## Executive Department

Austin Texas Dec 1st 1863

## Senators

## and Representatives

I deem it proper to place before [you] some papers received from Maj. Genl. Magruder, containing evidence of treasonable and disloyal designs on the part of certain citizens of Texas arrested and imprisoned by his orders, and also containing evidence of like designs against others.

These papers will serve, at once, to show the grounds

of Genl. Magruder's action in these cases, and to point out the manifestations of treasonable designs and combinations, at work in our midst, to be provided for by your legislation.

As it relates to the defense of the Military District of which he was commander—I also place before you for your consideration a letter of Genl. Magruder in relation to the transfer of the Frontier Regiment to Confederate Service.

P. Murrah

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Executive Department

Austin Texas Dec 2nd 1863

Senators

and Representatives

I herewith transmit to you, for your consideration, some further communications from Maj. Genl. Magruder—in relation to some of the subjects embraced in the Communications placed before you on the first instant.

These papers were received by me to-day.

P. Murrah

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Executive Department

Austin, Texas, Dec 3rd 1863

Senators:

I have this day appointed the following officers of the State Penitentiary:

Thomas Carothers of Walker County, Superintendent, and S. B. Hendricks of Harrison County, Financial Agent, to which appointments I respectfully ask your advise and consent.

P. Murrah

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Executive Department

Austin, Texas, Dec 4th 1863

Senators

and Representatives

About the 23rd of August the last, the remnant of the Tonkaway Indians, numbering about one hundred and sixty-five, consisting of about fifty warriors, the remainder non-combatants, old men, women, girls and boys—arrived in Texas, and still remain in the

state. Ninety of these Indians are at Fort Belknap, the remainder at Camp Colorado. They were induced to come by promises held out to them of a home and military service in Texas, by officers, some in the Frontier Regiment, and by Col. John R. Baylor, as you will see by letters, herewith transmitted, addressed to them, and their agents.

Since their arrival in the State, they have been subsisted by the officers of this Regiment, and the accounts for their subsistence have been forwarded to the office of the Adjutant and Inspector Genl. for approval; but, up to this time, his approval has been withheld, because there was no appropriation for that purpose. From the best estimates that I can have made—it will require at least ten Thousand dollars to subsist them, from the time of their arrival to the first of January next. This does not include a provision for clothing, blankets, &c, of which they are said to be very destitute.

These Indians were induced to come into the State by the Military Authorities referred to, with the view of employing them as spies in the operations of the Frontier Regiment. They lost most of their warriors in the massacre at Fort Cobb, and it is said they have been friendly and true to the White man for years, that they entertain the most bitter hostility towards their Comanche foes, and are eager to be employed in war against them.

So soon as I ascertained that this unfortunate Tribe of Tonkaways had been introduced into the State, and promised homes and military employment without her authority; I caused a letter to be addressed to Col .McCord Comdg the Frontier Regiment directing him at once to correspond with the Confederate Military authorities of the Northern Sub District of Texas, or with Genl. Steele, with reference to them, and to urge upon them the propriety of taking charge of, and providing for them, I did this, because I believed that Texas had been for years pursuing the true policy in trying to rid herself of the presence and care of the Indians, and devolved it upon the General Government to whom it more appropriately belonged.

Upon the Confederacy rests the obligation of the care and protection of the friendly tribes of Indians, and Texas reverses her policy when she invites them back to her soil.

I have received nothing in reference to the Correspon-

dence which I directed to be instituted on this subject. But the Tonkaways are returning to Texas, where doubtless innocent of an intention to offend against a policy inaugurated by her laws. They doubtless believed that those who assumed the authority of inviting them to a home and military service in Texas were clothed with power to do so, and to make their promises good: and while the assumption of such unwarranted authority upon the part of subordinate officers of the Government, may be disapproved, I do not believe it just to visit either the censure or punishment upon the ignorant Indians. They are in our midst—they are friendly—they are willing to fight for us—they are desolate and without a home; and if the Confederate authorities do not take charge of them, I believe that the State should make provision for them. To leave them on the Frontier without protection and without support, would perhaps, convert them into a band of thieves.

The Confederate authorities should be appealed to on this subject—but should the care and protection of these Indians be devolved upon the State, the warriors may, perhaps, be made serviceable upon the frontier.

The papers herewith transmitted belong to the office of the Adt. and Insp. General, and it is important that they should be returned to that office.

P. Murrah

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Executive Department

Austin, Texas, Dec 12th, 1863

Senators,

I have the honor to submit the following appointments of Notaries Public, to which I most respectfully ask your advice and consent:

Austin County

Ernest Kleberg, vice Rufus E. Campbell

Blanco County

Thomas Shugart, original appointment

Burleson County

John Goodwin, original appointment

Comanche County

T. M. Collier, vice T. C. Frost

Enoch Jones, vice Levon Price

Jesse Mercer, original appointment

Coryell County

R. B. Wells, original appointment  
James H. Collard, original appointment

Ellis County

M. M. Knight, vice William Peel  
E. C. Newton, re-appointment

Fort Bend County

John W. Crump, vice S. M. Cross  
Ira Fuller, vice Patrick Perry  
Seth Walker, vice M. Y. Mays

Gillespie County

J. D. Robinson, vice G. W. Todd  
William Wathmand, vice John E. Sandstron

Jasper County

Seymore White, re-appointment

Johnson County

William C. McGee, vice William F. Pierce  
Jonathan Burke, vice George W. Hutchison  
John C. Barnes, vice S. A. Carpenter  
Ware Benge, vice William O. Manifee

Karnes County

W. R. Calloway, original appointment

Kendall County

Theodore Wiedenfelt, original appointment

Madison County

Job Collard, vice A. S. Abercrombie  
George L. Harrison, vice John Rogers  
Merriweather Cormer, vice Hugh McGriffin  
Joseph McIver, vice James S. Fairley  
George B. Forest, original appointment

Montague County

John O. Neil, original appointment  
Albin Gordon, original appointment  
W. W. Quillan, original appointment

Robertson County

Aaron Woods, vice John D. Johnson

Smith County

Harvey Lindsey, vice John M. Douglass

Tarrant County

William Poe, vice John S. Courterey

Cherokee County

C. T. Jay, re-appointment

## Titus County

Elam Riddle, re-appointment  
Campbell English, re-appointment  
G. W. G. Haynes, re-appointment  
A. G. Hamilton, re-appointment  
Sibron Bicerstaff, vice William M. S. Houghton

## Van Zandt County

D. M. Deadman, vice A. P. Sullivant  
William Murrah, vice J. R. C. Henderson  
John M. Patterson, vice John Rosenbaum

## Walker County

Thomas G. Birdwell, re-appointment

## Young County

M. V. Bowers, vice J. H. Latimer  
R. H. Mathews, original appointment  
W. N. P. Martin, original appointment

## Brazoria County

James S. Rodgers, re-appointment

## Collins County

George F. Pagues, re-appointment  
John C. Easton, vice James M. Dunlap

## Liberty County

Simpson Pattillo, vice J. W. Stephens

## Rusk County

S. Slade Burnett, vice Slade Barwell

## Travis County

Jason Enock, vice E. Stockton

## Washington County

Adolph Giesecke, re-appointment

## Williamson County

W. C. Dalrymple, vice Thomas Hughes

## Galveston County

James W. Moore, vice E. T. Austin  
F. N. Kauder, vice J. G. Seawall  
Allan Coward, vice T. E. Compton

## Van Zandt County

John Lollar, vice James M. Harrison  
P. Murrah

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Executive Department

Austin Texas Dec 16th 1863

Senators:

I return without my approval, A Bill entitled "An

Act for the relief of William B. Burns.”

I have no evidence satisfactory to my mind, that the survey made for William B. Burns does not conflict with League No. 6 University Lands. If it does so conflict, I cannot see the justice of depriving the University of that amount of Land and donating it to a citizen, even if the Legislature could do so. It is clear, that if the survey of said Burns does not conflict, that he needs no relief from the Legislature.

I herewith transmit certificate of the Commissioner of General Land Office showing the conflict between these

Executive Department

Austin Dec 16th 1863

Senators

I have the honor to submit the following appointments of Notaries Public, to which I respectfully ask your advice and consent:

Bastrop County

O. H. B. McGinnis, vice E. J. Jones

Bell County

Hiedlus Spurgeon, vice John M. Pope

Trinity County

Z. Norton, vice Frank Harper

S. T. Robb, re-appointment

P. Murrah

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Executive Department

Austin, Texas, Dec 16th, 1863

Senators

I withhold my sanction from a Bill entitled “An Act for the relief of the heirs at law of Thomas Moore deceased,” for the reason that it is now in the power of the parties interested, by complying with the laws in existence, to obtain what is granted to them by the provisions of this Bill. The report of the Clerk of the County Court of Robinson [Robertson?] County to the Commissioner of the General Land Office, of the issuance of said certificate as required by law, and a correction of the field notes so that they may be freed from imperfection, and made to come up to the requirements of the laws, will scure the patent claimed. To force the Commissioner of the General Land Office to patent lands upon imperfect field notes would not only derange the maps and plats of surveys required by law to



be made out and kept, but cherishes carelessness in District Surveyors, and negligence in parties interested. For the fact in relation to this case you are respectfully referred to the certificate of the Commissioner of the General Land Office herewith transmitted.

P. Murrah

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Executive Department

Austin, Texas Dec 16th, 1863

Senators

I have this day appointed the following named Gentlemen Directors of the State Penitentiary:

Samuel Randall, vice Benjamin Robinson

Joseph F. May, vice Louis Roe

J. Carrol Smith, vice Benjamin J. Walker

to which appointments I respectfully  
ask your advice and consent.

P. Murrah

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